THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO.10298 OF 2006

Date: 25-05-2006

Between:

N.V.Rama Subba Rao …Petitioner

And

The District Collector, West Godavari

And others ...Respondents

THE HON'BLE SRI JUSTICE L. NARASIMHA REDDY

WRIT PETITION NO.10298 OF 2006

O R D E R:

Petitioner states that his ancestors purchased an extent of Acs. 2.09 cents of land in Sy.No.130-4A of Saripalle Village, Ganapavaram Mandal of West Godavari District and that it has fallen to his share in the family partition. He states that he is in possession and enjoyment of the said land.

The grievance of the petitioner is that the respondents are trying to evict him by stating that it is a Government land. It is contended that neither a notice was issued nor any proceedings were initiated in respect of the said land.

Heard learned counsel for the petitioner and learned Government Pleader for Revenue.

A perusal of the copy of the pattedar passbook issued to the petitioner by the Revenue authorities discloses that the land referred to above is mentioned in it. The petitioner has also filed copies of cist receipts for the said land.

Even assuming that there is any cloud over the title of the petitioner in respect of the said land, the respondents have to initiate necessary proceedings under the relevant provisions of law. There cannot be any justification for them to unilaterally and straightaway proceed against the petitioner without issuing any notice or initiating proceedings. Hence, the writ petition is disposed of directing the respondents not to interfere with the rights of the petitioner *vis-à-vis* land referred to above without following the procedure prescribed by law. There shall be no order as to costs.

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(L. NARASIMHA REDDY,J)

Dated 25th May, 2006

Note: Issue C.C tomorrow

(b/o)

vrn/jsu